4.3 Biological Resources

4.3.1 Environmental Setting

PHYSICAL SETTING

The Planning Area is located in San Mateo County on the San Francisco Peninsula, about halfway between San Francisco and San Jose. Belmont's extensive open spaces are part of the regional open space network on the San Francisco Peninsula. These connected open spaces provide valuable travel corridors for wildlife and habitats. Belmont Creek, which has a watershed of about three square miles, originates in the west of the Planning Area along the east facing slope of Pulgas Ridge and flows east through the city for about three miles into a tributary of the San Francisco Bay. Most of the Planning Area is developed, but it includes some large areas of natural open space. It is neighbored by the cities of Redwood City and Foster City to the east, San Mateo to the north, San Carlos to the south, and the Crystal Springs watershed lands for the San Francisco Public Utilities District to the west.

Habitats

Notable natural landmarks in Belmont include the San Juan Hills, Western Hills, Water Dog Lake, and Belmont Creek. The watershed for the San Francisco Public Utility District is located to the west of Belmont, and Sugarloaf Mountain is located to the north. These connected open spaces provide valuable travel corridors for wildlife and help to support a diversity of wildlife. They also play important roles in stormwater management, ecological functions, and other environmental conservation efforts. While the extensive natural open space system provides numerous benefits for the Belmont community, it also brings challenges. Human safety and recreation opportunities must be balanced with maintaining the proper functioning of natural systems. For instance, the City has to manage invasive species, reduce fire hazards, and maintain trails as part of the effort to preserve and maintain the open spaces. The habitats found in Belmont are briefly described below.

Shown in Figure 4.3-1, the habitat types in Belmont's natural open spaces vary widely, from tree- and shrub-dominated habitats in the western hills to herbaceous-dominated habitats and aquatic habitats in eastern Belmont. The tree-dominated habitats include Valley Oak Woodland, Valley Foothill Riparian, Coastal Oak Woodland, Montane Hardwood, and Blue Oak Woodland. Shrub-dominated habitats are found mostly in the southwestern area of Belmont and include Chamise-Redshank Chaparral and Coastal Scrub. Herbaceous-dominated habitats include Saline Emergent Wetland near the O'Neill Slough and Annual Grass in the far western hills. A description of each of these habitats and associated plant and wildlife species, as well as the potential of special-status species to occur within them is provided below. As shown in Figure 4.3-2, the BVSP Area is largely

free from natural habitats, with only a small area of Coastal Oak Woodland tree-dominated habitat and Lacustrine aquatic habitat falling within its boundary.

Tree-Dominated Habitats [1, 2]

Valley Oak Woodland

An area of Valley Oak Woodland occurs south of Ralston Avenue in Twin Pines Park. The habitat can vary from savannas of annual grasslands with few trees to dense stands of trees. This woodland is dominated by valley oak (*Quercus lobata*) but can have associates of western sycamore (*Platanus racemosa*), California black walnut (*Juglans californica* var. *hindsii*), interior live oak (*Quercus wislizenii*), box elder (*Acer negundo* var. *californica*), and blue oak (*Quercus douglasii*). Shrub species include California coffeeberry (*Rhamnus californica*), poison oak (*Toxicodendron diversilobum*), toyon (*Heteromeles arbutifolia*), and blackberry (*Rubus* sp.). Annual grasses and forbs dominate the herbaceous layer. The habitat occurs only in California, but is common locally and regionally with patchy distribution in the Sacramento Valley, the San Joaquin Valley, and valleys along California's central coast.[3]

Coastal Oak Woodland

Coastal Oak Woodland is the most prominent habitat in Belmont covering most of the undeveloped land in the hills and along Belmont Creek in the flatlands. The habitat is classified as Hardwood Forest/Woodland and dominated by three oak species: coast live oak (*Quercus agrifolia*) throughout the habitat's central and southern range; Engelmann oak (*Quercus engellmannii*) in southern California; and Oregon white oak (*Quercus garryana*) in the northern range. Madrone (*Arbitus menziesii*) can grow amid the oaks, especially near Mixed Hardwood Forest habitats. The variable density of tree canopy results in a variable understory including poison-oak (*Toxicodendron diversilobum*) and coffeeberry (*Rhamnus californica*).[4] The habitat occurs in the coastal foothills and valleys of California down to coastal Baja California from an elevation of just above sea level to 5,000 feet.[5]

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[1] University of California Oak Woodland Management. "Habitat Descriptions." 2016. Regents of the University of California Division of Agriculture and Natural Resources. <http://ucanr.edu/sites/oak_range/Californias_Rangeland_Oak_Species/Habitats_Descritpions/>

[2] Robert F. Holland. "Preliminary Descriptions of the Terrestrial Natural Communities of California." State of California, The Resources Agency, Department of Fish and Game. 1986. <http://www.cal-ipc.org/ip/inventory/pdf/HollandReport.pdf>

[3] Lyman V. Ritter. "Valley Oak Woodland." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67342>

[4] "Landels-Hill Big Creek Reserve Habitat Schematic 2002." University of California Natural Reserve System. <http://bigcreek.ucnrs.org/description/HS/oakwoodland.html>

[5] V.L. Holland. "Coastal Oak Woodland." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. 2005. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67344>

Blue Oak Woodland

There are three areas of Blue Oak Woodland in the hills of Belmont near Water Dog Lake, Crystal Springs Cross Country Course, and Laurelwood Park. Blue oak (*Quercus douglasii*) dominates this habitat, although a variety of other tree species usually occur with stands varying from fairly dense to open savannas. Characteristic species include the California buckeye (*Aesculus californica)* and coffeeberry (*Rhamnus californica*). The habitat occurs in valleys and lower slopes of the western Sierra Nevade-Cascade Range, the Tehachapi Mountains, and the eastern foothills of the Coastal Range in elevations from 500 to 2,000 feet.

Montaine Woodland

Alongside the Valley Oak Woodland and Coastal Oak Woodland is an area of Montaine Hardwood in Twin Pines Park. The habitat varies based on topography, soils, and elevation, but generally lack blue oaks (*Quercus douglasii*) and valley oaks (*Quercus lobata*). The characteristic tree species include canyon live oak (*Quercus chrysolepsis*), interior live oak (*Quercus wislizeni*), California black oak (*Quercus kelloggii*), and Oregon white oak (*Quercus garryana*). Understory shrub species include poison-oak (*Toxicodendron diversilobum*) and Manzanita (*Arctostaphylos*). Montane hardwoods are found throughout California from 300 to 9,000 feet.

Valley Foothill Riparian

There are a few small areas of Valley Foothill Riparian habitat interspersed with Coastal Oak Woodland in the Belmont hills along Water Dog Lake and near Laurelwood Park. The habitat is characterized by a canopy layer including cottonwood (*Populus*), California sycamore (*Platanus racemosa*), and valley oak (*Quercus lobata*); a subcanopy layer with white alter (*Alnus rhombifolia*), boxelder (*Acer negundo*) and Oregon ash (*Fraxinus latifolia*); and an understory shrub layer with wild grape (*Vitis vinifera sylvestris*), wild rose (*Rosa acicularis*), and California blackberry (*Rubus ursinus*). Valley Foothill Riparian habitat can be found from sea level to about 4,000 feet in the Central Valley and the lower foothills of the Cascade, Sierra Nevada and Coast ranges.[6]

Wildlife

Oak woodlands are important habitats because of their high value to wildlife in the form of nesting sites, cover, and food. Cavities in oak trees are important nesting sites for many bird species. Birds associated with oak woodlands include acorn woodpeckers (*Melanerpes formicivorus*), Nuttall's woodpeckers (*Picoides nuttallii)*, western scrub jay (*Aphelocoma californica)*, tree swallow (*Tachycineta bicolor*), oak titmouse (*Baeolophus inornatus*), western bluebird (*Sialia mexicana*), and yellow-rumped warbler (*Dendroica coronata*). Tree cavities also provide important roosting habitat for some species of bats. Oak woodlands provide nesting sites for raptors, such as red-tailed hawks, and great horned owls (*Bubo virginianus*). Mammals associated with woodlands include western gray squirrel (*Sciurus griseus*), bobcat (*Lynx rufus*), black-tailed deer (*Odocoileus hemionus*), and gray fox (*Urocyon cinereoagenteus*).

[6] William E. Grenfell Jr. "Valley Foothill Riparian." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67352>

Shrub-Dominated Habitats

Chamise-Redshank Chaparral

The Chamise-Redshank Chaparral habitat is found south of the Belmont Library along Hastings Drive in the southern end of the Belmont hills. The habitat is a hybrid of two similar habitats: the Chamise Chaparral and Redshank Chaparral. The chaparral ranges from three to 12 feet and is dominated by chamise (*Adenostoma fasciculatum* and *Adenostoma sparsifolium*). Other characteristic species include buckbrush (*Ceanothus cuneatus*) and coastal sage scrub oak (*Quercus dumosa*). It occurs below 3,000 feet in northern California but is more abundant in southern California below 5,000 feet.

Coastal Scrub

There is an area of Coastal Scrub adjacent to Valley Foothill Riparian and Coastal Oak Woodland on east facing hills in the northwest portion of the Planning Area. The structure and composition of the habitat changes greatly as it runs along the Pacific coast of California, with Northern Coastal Scrub found from Humboldt County to the San Francisco Bay Area.[7] Common overstory species of the Northern Coastal Scrub include bush lupine (*Lupinus arboreus*) in exposed sites, coyotebrush (*Baccaris pilularis*) in more protected sites, blue blossom ceanothus, and coffeeberry (*Frangula californica*).

Wildlife[8]

The wildlife for the chaparral and scrub habitats are similar. Characteristic bird species include the California quail (*Lophortyx californicus*), killdeer (*Charadrius vociferous*), poor-will, (*Phalaenoptilus nuttallii*), black-throated gray warbler (*Dendroica nigrescens*) and sage sparrow (*Amphispiza belli*). Mammals include the brush rabbit (*Sylvilagus bachmani*), broad-footed mole (*Scapanus latimanus*), white-tailed jackrabbit (*Lepus townsendii*), Belding's ground squirrel (*Urocitellus beldingi*), northern pocket gopher (*Thomomys talpoides*), and California pocket mouse (*Perognathus californicus*).

Herb-Dominated Habitats

Saline Emergent Wetland[9]

An area of Saline Emergent Wetland is located in Belmont between Highway 101 and the O'Neill Slough. The habitat is characterized as salt or brackish marshes with plants ranging from about one to 6.5 feet tall. Common species include cordgrass (*Spartina*), pickleweed (*Salicornia*), Humbolt cordgrass, salt rush (*Juncus rowmerianus*), and common cattail (*Typha*). The Saline Emergent Wetland is found along the entire California coast up to three feet above mean high water mark.

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[7] Sally de Becker. "Coastal Scrub." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67374>

[8] A. Sidney England. "Chamise-Redshank Chaparral." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67370>

[9] Paul F. Springer. "Saline Emergent Wetland." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67370>

Species endemic to the Saline Emergent Wetland include endangered Ridgeway's and light-footed clapper rails (*Rallus obsoletus* and *Rallus longirostris levipes*), California black rail (*Laterallus jamaicensis coturniculus*), salt marsh yellowthroat (*Geothlypis trichas sinuosa*), herons (*Ardeidae*), egret (*Adrea alba*), hawks (*Accipitridae*), and shorebirds (*Charadriiformes*). Characteristic mammals are shrews (*Soricidae*), bats (*Chiroptera*), and mice (*Mus*), including the endangered salt marsh harvest mouse (*Reithrodontomys raviventris*) endemic to the San Francisco Bay.

Annual Grasses

Several areas of annual grasses are found in the highest elevations of the Belmont hills. Plants typical of this community include several species of brome (*Bromus* spp.), wild oats (*Avena* spp.), filarees (*Erodium* spp.), schismus (*Schismus* spp.), fescues (*Festuca* spp.), and a variety of native wildflowers such as California poppy (*Eschscholtzia californica*) and phacelia (*Phacelia* spp.), along with non-native species.

Annual grasslands are used by a large variety of wildlife species. Reptiles that occur in annual grassland habitats include western fence lizard (*Sceloperous occidentalis*), western skink (*Eumeces skiltonianus*), gopher snake (*Pituophis catenifer*), and western rattlesnake (*Crotalus viridis*). Mammals typically found in this habitat include California vole (*Microtus californicus*), western harvest mouse (*Reithrodontomys megalotis*), California ground squirrel (*Spermophilus beecheyi*), black-tailed jackrabbit (*Lepus californicus*), and coyote (*Canis latrans*). Savannah sparrow (*Passerculus sandwichensis*), western meadowlark (*Sturnella meglecta*), and horned lark (*Eremophila alpestris*) are common birds that breed in annual grasslands. Annual grasslands provide foraging habitat for red-tailed hawk (*Buteo jamaicensis*) and Swainson's hawk (*Buteo swainsoni*), whereas other species occupy annual grassland only when special habitat features such as cliffs, caves, ponds, or woody plants are available for breeding, resting, or as escape cover. In addition, many species that nest or roost in adjacent woodlands may forage in grasslands, including western bluebird (*Sialia mexicana*), western kingbird (*Tyrannus verticalis*), lark sparrow (*Chondestes grammacus*), and some species of bats. Amphibians such as western toad (*Bufo boreas*), Pacific tree frog (*Hyla regilla*), and western spadefoot *(Spea hammondii*) can be found in annual grassland habitat adjacent to suitable aquatic breeding habitat.

Aquatic and Wetland Habitats

Figure 4.3-3 shows the waterways and wetlands in the Planning Area.

Riverine

Along the Belmont Creek, the East Laurel Creek, and their respective seasonal tributaries is potential riverine habitat. Although these areas have been classified as riverine habitats, many of these areas in Belmont usually do not have flowing water. Areas that do have flowing water provide habitat for insects, commonly including mayfly (*Ephemeroptera*) and caddisfly (*Trichoptera*) nymphs, which attract insectivorous birds such as swallows (*Hirundinidae*) and flycatchers (*Tyrannidae*).

Wetlands

The Belmont Slough along the coast provides Estuarine and Marine Deepwater habitat characterized by permanently subtidal—brackish and saltwater—water. There are also areas of

Estuarine and Marine Wetland habitats around the Belmont Slough. These habitats are intertidal—not permanently flooded. There are also Freshwater Emergent Wetlands and Freshwater Ponds in the median between Highway 101 and Marine Parkway ramps, according to the National Wetlands Inventory from 2015.

Lacustrine[10]

There are two areas of lacustrine habitat east of Highway 101 in Belmont. Lacustrine habitats contain standing water due to depressions in elevation or dammed channels that can be both permanent and intermittent. Phytoplankton and the organisms that consume them, such as rotifers, copepods, and cladocerans, are characteristic of lacustrine habitat. In shallower areas, duckweed (*Lemnoideae*) may cover the surface, and in deeper areas water lilies (*Nymphaea*) and smartweeds (*Polygonum*) are common. Lacustrine habitats can be found throughout California, although are less common in arid regions.

Developed Habitats

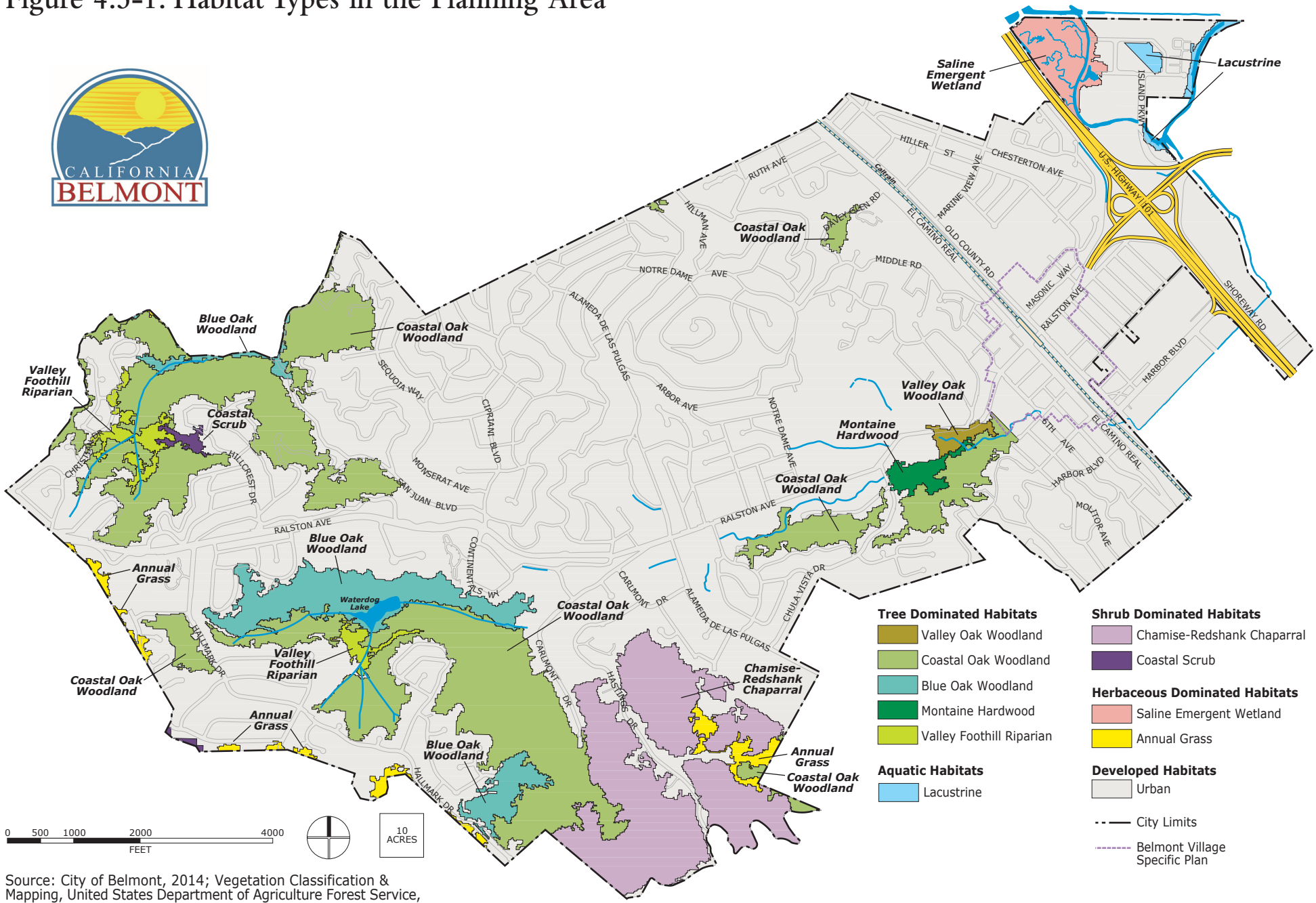
Urban areas generally have a lower value for wildlife because of human disturbance and a lack of vegetation other than horticultural plant species. Wildlife species that use these areas are typically adapted to human disturbance. However, more densely vegetated "urban forests" can provide habitat for songbirds and some raptor species.

Critical Habitat Area Near Belmont

Critical habitat areas are for species listed under the Federal Endangered Species Act. These areas contain features that are essential for the conservation of the species and may require special management and protection. While Belmont does not have any critical habitat areas as of the 2015 edition of the California Natural Diversity Database, critical habitat for the California red-legged frog has been designated to the west of the Planning Area and is noted here for its proximity to Belmont's western border, as shown on Figure 4.3-4.

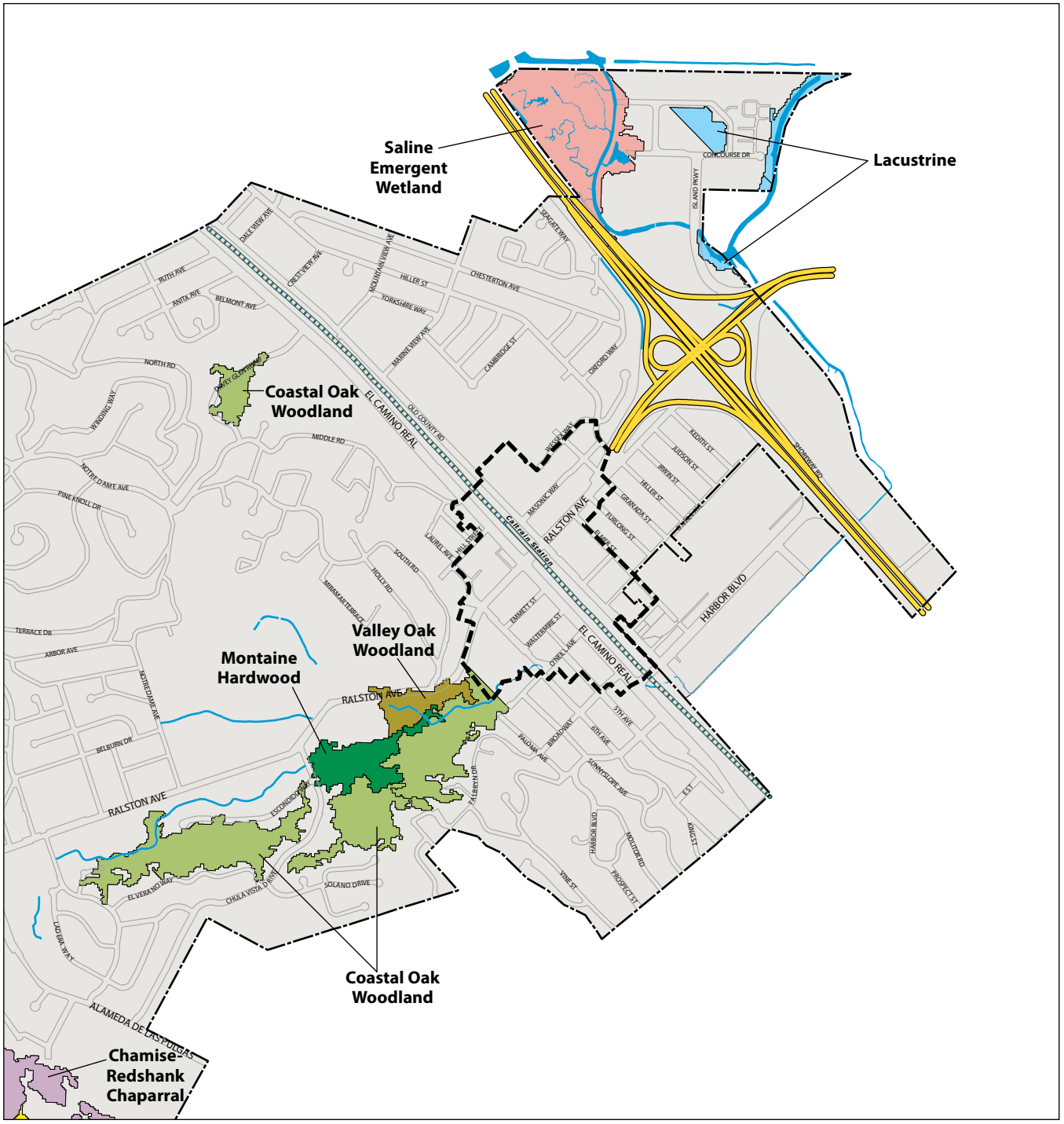
[10] William E. Grenfell, Jr. "Lacustrine." California Wildlife Habitat Relationships System, California Department of Fish and Game, California Interagency Wildlife Task Group. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67398>

Figure 4.3-1: Habitat Types in the Planning Area



Source: City of Belmont, 2014; Vegetation Classification & Mapping, United States Department of Agriculture Forest Service, 2013; San Mateo County GIS, 2014; Dyett & Bhatia, 2014.

Figure 4.3-2: Habitat Types in the BVSP Area



Belmont Village Planning Area
City of Belmont

Tree Dominated Habitats
- Valley Oak Woodland
- Coastal Oak Woodland
- Montane Hardwood

Shrub Dominated Habitats
- Chamise-Redshank Chaparral

Herbaceous Dominated Habitats
- Saline Emergent Wetland
- Annual Grass

Aquatic Habitats
- Lacustrine

Developed Habitats
- Urban

0 625 1,250 2,500
FEET

10 ACRE
2.5 ACRE

Source:Vegetation Classification & Mapping, United States Department of Agriculture Forest Service, 2013; City of Belmont GIS, 2014; Dyett & Bhatia, 2016.

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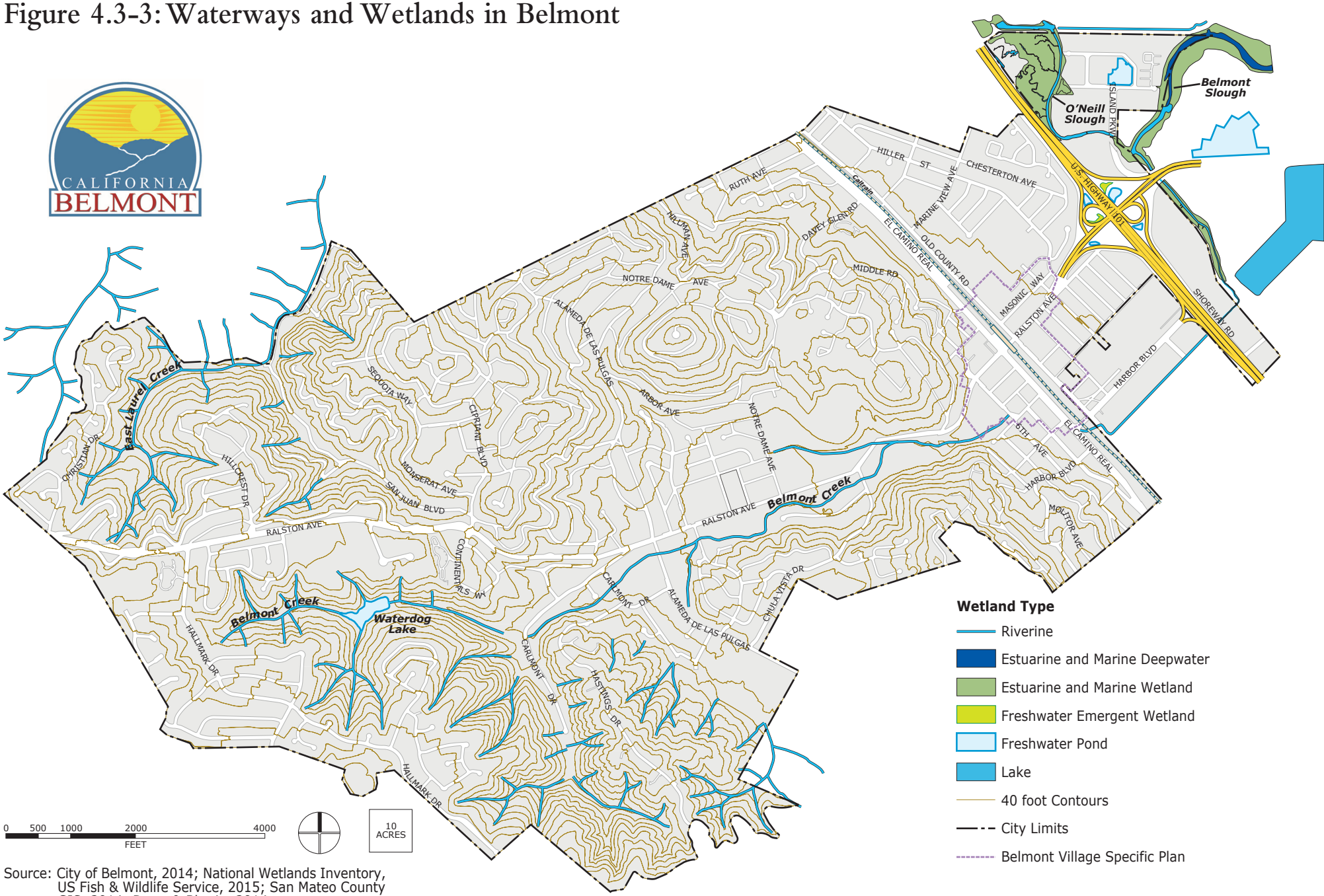
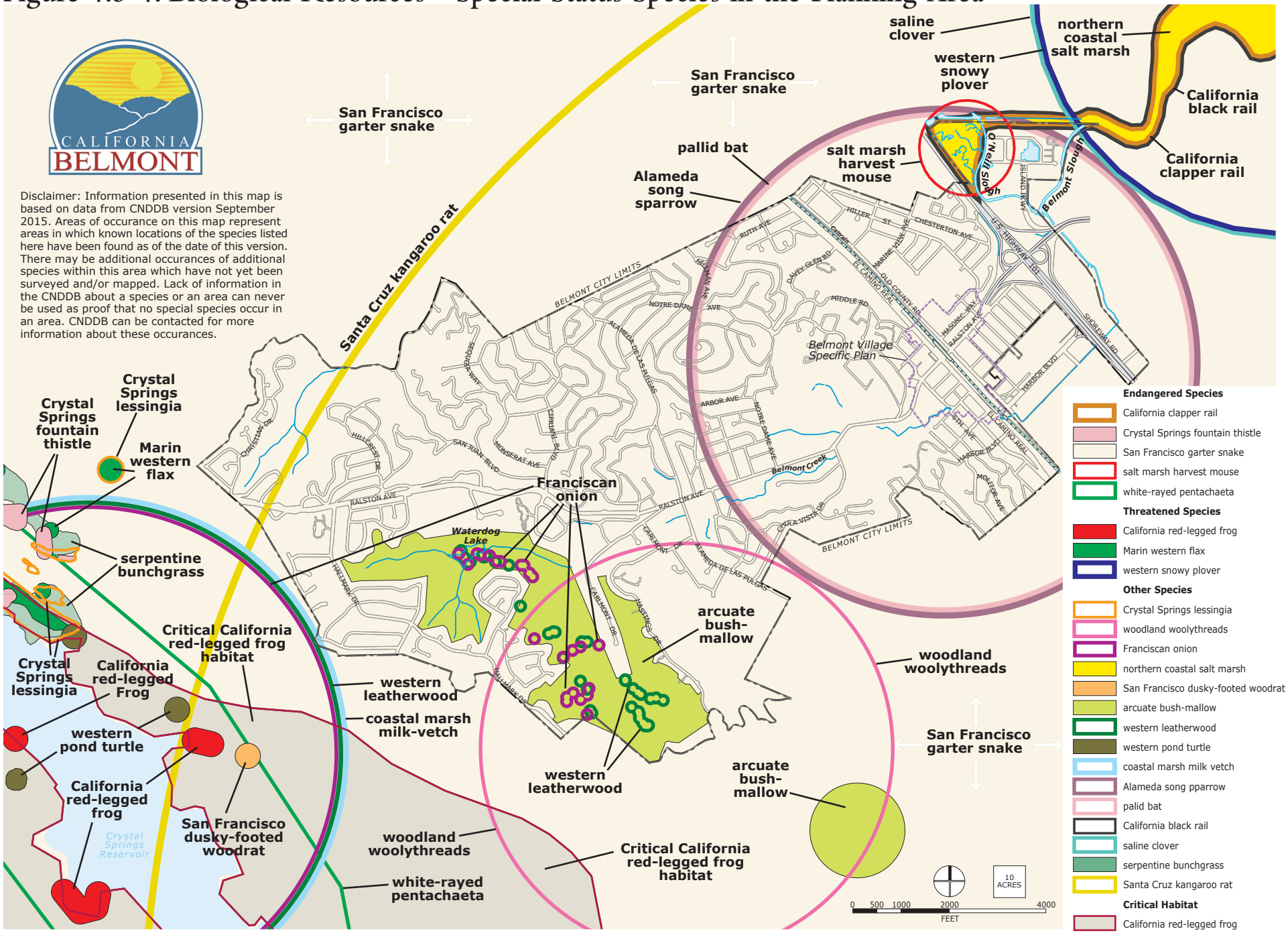
Figure 4.3-3: Waterways and Wetlands in Belmont



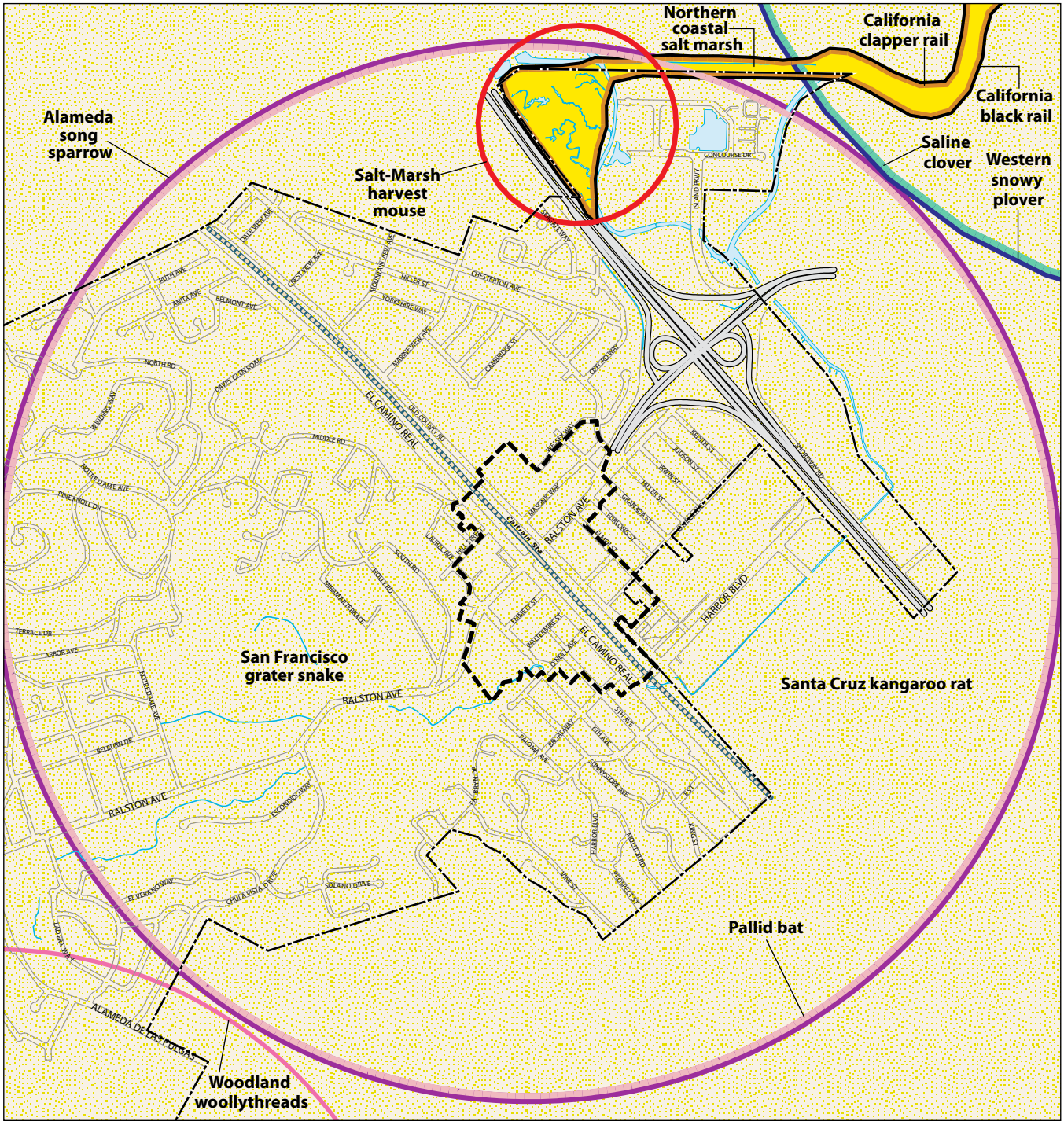
Source: City of Belmont, 2014; National Wetlands Inventory, US Fish & Wildlife Service, 2015; San Mateo County GIS, 2014; Dyett & Bhatia, 2014.

Figure 4.3-4: Biological Resources - Special Status Species in the Planning Area



Source: City of Belmont, 2014; California Natural Diversity Database (CNDDB) 2015; San Mateo County GIS, 2014, Dyett& Bhatia, 2015.

Figure 4.3-5: Biological Resources - Special Status Species in the BVSP Area



Belmont Village Planning Area

City of Belmont

Endangered Species

California Clapper Rail

San Francisco Garter Snake

Salt-Marsh Harvest Mouse

Threatened Species

Western Snowy Plover

Other Species

Woodland Woollythreads

Northern Coastal Salt Marsh

Alameda Song Sparrow

Pallid Bat

California Black Rail

Saline Clover

Santa Cruz Kangaroo Rat

**Special Status Species information presented in this map is based on data from CNDDB version September 2015. Areas of occurence on this map represent areas in which known locations of the species listed here have been found as of the date of this version. There may be additional occurences of other species within this area which have not yet been mapped. Lack of information in the CNDDB about a species or an area can never be used as proof that no special species occur in an area. CNDDB can be contacted for more information about these occurances.*

Source: California Natural Diversity Database (CNDDB), 2015; City of Belmont GIS, 2014; Dyett & Bhatia, 2016.

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Special-Status Species

Special-status species are plants and animals that are legally protected under State and federal Endangered Species Acts or other regulations, and species that are considered sufficiently rare by the scientific community to qualify for such listing. Special-status plants and animals are species in the following categories:

- Species listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (50 CFR 17.12 [listed plants], 50 CFR 17.11 [listed animals], and various notices in the Federal Register [proposed species];
- Species that are candidates for possible future listing as threatened or endangered under the federal Endangered Species Act (73 FR 75176, December 10, 2008);
- Species listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (14 CCR 670.5);
- Species that meet the definitions of rare or endangered under California Environmental Quality Act (CEQA) (State CEQA Guidelines, Section 15380);
- Plants listed as rare under the California Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq.);
- Plants considered by the California Native Plant Society (CNPS) to be "rare, threatened, or endangered in California" (Lists 1B and 2 in California Native Plant Society 2009);
- Plants listed by CNPS as plants about which more information is needed to determine their status and plants of limited distribution (Lists 3 and 4 in California Native 2009), which may be included as special-status species on the basis of local significance or recent biological information;
- Animal species of special concern to the California Department of Fish and Game (California Department of Fish and Game 2011); and
- Animals fully protected in California (California Fish and Game Code, Section 3511 [birds], 4700 [mammals], and 5050 [amphibians and reptiles]).

Areas where known occurrences of these species have been found in the Planning Area and the BVSP Area are shown in Figures 4.3-4 and 4.3-5, respectively.

Special-Status Plant Species

Table 4.3-1 is a list of special-status plant species that have a moderate to high potential to occur in or near the Planning area of the City of Belmont, based on a review of California Natural Diversity Database (CNDDB) sources.

Table 4.3-2 is a current list of special-status wildlife species that have a moderate to high potential to occur in or near the Planning Area, based on a review of California Natural Diversity Database (CNDDB) sources.

These species should be addressed, where appropriate, during environmental review of individual projects during implementation of the Proposed Project.

Table 4.3-1: Special-Status Plant Species with a Moderate to High Potential to Occur within the Planning Area

Scientific and Common Name	*Federal Status*	*State Status*	*CNPS Status*	*Habitat*	*CNDDB Occurrence Date*
Acanthomintha duttonii San Mateo thorn-mint	E	E	1B.1	San Mateo County. Serpentinite soils in valley and foothill grassland and chaparral habitats; 160-980 feet.	1994
Allium peninsulare var. *franciscanum* Franciscan onion	__	__	1B.2	Mendocino, Santa Clara, San Mateo, and Sonoma counties. Clay, volcanic, or serpentinite soils in cismontane woodland and valley and foothill grassland habitats; 170-980 feet.	2013
Amsinckia lunaris bent-flowered fiddleneck	__	__	1B.2	Alameda, Contra Costa, Colusa, Lake, Marin, Napa, San Benito, Santa Clara, Santa Cruz, San Mateo, Sonoma, and Yolo counties. Coastal bluff scrub, cismontane woodland, and valley and foothill grassland habitats; 0-1,640 feet.	1994
Astragalus pycnostachyus var. *pycnostachyus* coastal marsh milk-vetch	__	__	1B.2	Humboldt, Marin, and San Mateo counties. Mesic coastal dune, and in coastal scrub, and coastal marsh and swamp habitats; 0-100 feet.	Unknown
Chloropyron maritimum ssp. *Palustre* Point Reyes salty bird's-beak	__	__	1B.2	Humboldt, Marin, San Francisco, and Sonoma counties. Coastal salt marshes and swamps; below 30 feet.	1893
Cirsium fontinale var. *fontinale* Crystal Springs fountain thistle	E	E	1B.1	Near the Crystal Springs Reservoir in San Mateo County. Serpentinite seeps in openings in chaparral, cismontane woodland, and valley and foothill grassland habitats; 150-570 feet.	2014
Collinsia multicolor San Francisco collinsia	__	__	1B.2	Monterey, Marin, Santa Clara, Santa Cruz, San Francisco, and San Mateo counties. Closed-cone coniferous forest and coastal scrub habitats, sometimes in serpentinite soils; 100-820 feet.	2007

Table 4.3-1: Special-Status Plant Species with a Moderate to High Potential to Occur within the Planning Area

Scientific and Common Name	*Federal Status*	*State Status*	*CNPS Status*	*Habitat*	*CNDDB Occurrence Date*
Dirca occidentalis western leatherwood	—	—	1B.2	Alameda, Contra Costa, Marin, Santa Clara, San Mateo, and Sonoma counties. Mesic habitats including broadleafed upland forest, closed-cone coniferous forest, chaparral, cismontane woodland, north coast coniferous forest, and riparian forest and woodland; 80-1,400 feet.	2013
Eriophyllum latilobum San Mateo woolly sunflower	—	—	1B.2	San Mateo County. San Mateo woolly sunflower is found growing in cismontane woodland habitats often on serpentinite soils and on roadcuts. It is known from two extant occurrences; 150-500 feet.	2002
Fritillaria liliacea fragrant fritillary	—	—	1B.2	Alameda, Contra Costa, Monterey, Marin, San Benito, Santa Clara, San Francisco, San Mateo, Solano, and Sonoma counties.	2012
Hesperolinon congestum Marin western flax	T	T	1B.1	Marin, San Francisco, and San Mateo counties. Serpentine soils in chaparral and valley and foothill grassland habitats; below 1,213 feet.	2009
Lessingia arachnoidea Crystal Springs lessingia	—	—	1B.2	Near the Crystal Springs Reservoir in San Mateo County. May occur in Sonoma County, but these occurrences need taxonomic verification. Cismontane woodland, coastal scrub, and valley and foothill grassland habitat. Often occurs in serpentinite soils and along roadsides; 20-650 feet.	2014
Malacothamnus arcuatus *arcuate bush-mallow*	—	—	1B.2	Santa Clara, Santa Cruz, and San Mateo counties. Chaparral and cismontane woodland habitats; 50-1,160 feet.	2007

Monolopia gracilens woodland woollythreads	__	__	1B.2	Alameda, Contra Costa, Monterey, San Benito, Santa Clara, Santa Cruz, San Luis Obispo, and San Mateo counties. Serpentine soils in openings in broad-leafed upland forests, openings in chaparral, cismontane woodlands, north coast coniferous forests, and valley foothill grassland habitats; 330-4,000 feet.	1973
Pentachaeta bellidiflora white-rayed pentachaeta	E	E	1B.1	San Mateo County. Thought to be extirpated from Marin and Santa Cruz counties. Cismontane woodland and valley and foothill grassland habitats, often in serpentinite soils; 100-2,000 feet.	1867
Trifolium hydrophilum *saline clover*	__	__	1B.2	Alameda, Colusa, Monterey, Napa, San Benito, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma counties. Marshes and swamps; mesic, alkaline valley, and foothill grassland; and vernal pool habitats; below 1,000 feet.	1886

Status Definitions:

U.S. Fish and Wildlife Service

Federal

E = listed as endangered under the federal Endangered Species Act.
T = listed as threatened under the federal Endangered Species Act.
– = No status definition.

State

E = listed as endangered under the California Endangered Species Act.
R = listed as rare under the California Native Plant Protection Act and California Endangered Species Act.
– = No status definition.

California Native Plant Society (CNPS)

1A= List 1A species: presumed extinct in California
1B= List 1B species: rare, threatened, or endangered in California and elsewhere
2 = List 2 species: rare, threatened, or endangered in California, but more common elsewhere
3 = List 3 species: plants about which we need more information—a review list
4 = List 4 species: plants of limited distribution—a watch list

CNPS Code Extensions:

0.1 = seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat
0.2 = fairly endangered in California (20- 80% of occurrences threatened)
0.3 = not very endangered in California (<20% of occurrences threatened or not current threats known)

Source: CNDDB Dated 3/2/2016 Information Expires 9/2/2016.

Special-Status Wildlife Species

Table 4.3-2 is a current list of special-status wildlife species that were identified by a review of the CNDDB and a list obtained from the USFWS that have been known to occur or have a potential to occur within the Planning Area. These species should be addressed where appropriate during environmental review of project during implementation of the Proposed Project.

Table 4.3-2: Special-Status Wildlife Species with the Potential to Occur within the Planning Area

Scientific and Common Name	*Federal Status*	*State Status*	*Geographic Distribution and Habitat requirements*	*CNDDB Occurrence Date*
Invertebrates				
Euphydryas editha bayensis Bay checkerspot butterfly	FT	--	Native grasslands on outcrops of serpentine soil Santa Clara and San Mateo Counties, California. Shallow, serpentine-derived soils in native grasslands supporting larval host plants, including dwarf plantain (Plantago erecta) or purple owl's clover (Castilleja densiflora or Castilleja exserta).	Unknown
*Hydrochara ricksecker*i Ricksecker's water scavenger beetle	--	--	Known only from the San Francisco Bay Area. Slow moving freshwater ponds, streams, marshes, and lakes.	1954
Amphibians				
Rana draytonii California Red-Legged Frog	FT	SSC	Found along coast and coastal mountain ranges of California from Marin County to San Diego County and in Sierra Nevada from Tehama County to Fresno County. Permanent and semipermanent aquatic habitats, such as creeks and coldwater ponds, with emergent and submergent vegetation. May estivate in rodent burrows or cracks during dry periods.	2007
Reptiles				
Emys marmorata Western Pond Turtle	--	SSC	Occurs from the Oregon border of Del Norte and Siskiyou Counties south along coast to San Francisco Bay, inland through Sacramento Valley, and on western slope of Sierra Nevada. Ponds, marshes, rivers, streams, irrigation ditches, vernal pools. Needs basking sites such as partially submerged logs or rocks, and suitable upland habit (sandy banks or grassy open fields) for egg laying.	2006

Table 4.3-2: Special-Status Wildlife Species with the Potential to Occur within the Planning Area

Scientific and Common Name	*Federal Status*	*State Status*	*Geographic Distribution and Habitat requirements*	*CNDDB Occurrence Date*
Thamnophis sirtalis tetrataenia San Francisco Garter Snake	FE	SE/FP	Scattered wetland areas on the San Francisco Peninsula from approximately the San Francisco County line south along the eastern and western bases of the Santa Cruz Mountains. Found at least from the Upper Crystal Springs Reservoir in San Mateo County south to Año Nuevo State Reserve in Santa Cruz County. Found in or near densely vegetated freshwater ponds with adjacent open hillsides where they can bask, feed, and find cover in rodent burrows.	1987
Birds				
Asio flammeus *Short-Eared Owl*	--	SSC	Small resident populations remain in the Great Basin region and locally in the Sacramento–San Joaquin River Delta. Most recent breeding from coastal central California and the San Joaquin Valley has been episodic. Breeding in mainland southern California is exceptional and limited to years of unusual incursions. Forages in open, treeless areas, such as marshes and grasslands, with elevated sites for perches and dense vegetation for roosting and nesting.	1977
Charadrius alexandrinus nivosus Western Snowy Plover	FT	SSC	Occurs along the entire coastline of California. Sandy beaches, salt pond levees, and shores of large alkali lakes. It needs sandy, gravelly, or friable soils for nesting.	1977
Circus cyaneus Northern Harrier	--	SSC	Occurs throughout lowland California. Has been recorded in fall at high elevations. Occurs year round within breeding range in California and may potentially winter in areas statewide. Breeds and forages in variety of open (treeless) habitats such as marshes, meadows, pastures, prairies, weedy borders of lakes, rivers, and streams, grasslands, some croplands, sagebrush flats, and desert sinks. Constructs nests on ground in open field or meadow in shrubby vegetation, usually near wet areas.	1971
Falco peregrinus anatum American Peregrine Falcon	--	FP	Occurs throughout the Central Valley, coastal areas, and northern mountains of California. Uses steep cliffs and buildings for nesting. Forages over a variety of habitats, especially wetlands.	2007

Table 4.3-2: Special-Status Wildlife Species with the Potential to Occur within the Planning Area

Scientific and Common Name	*Federal Status*	*State Status*	*Geographic Distribution and Habitat requirements*	*CNDDB Occurrence Date*
Geothlypis trichas sinuosa Saltmarsh Common Yellowthroat	--	SSC	Riparian woodland containing very dense stands of willows with freshwater marsh and upland vegetation. Water level varies from year to year. Source is Hetch Hetchy Reservoir.	1985
Laterallus jamaicensis coturniculus California Black Rail	--	ST/FP	Tidal salt marshes of the northern San Francisco Bay region, primarily in San Pablo and Suisun Bays. Smaller populations occur in San Francisco Bay, the Outer Coast of Marin County, freshwater marshes in the foothills of the Sierra Nevada, and in the Colorado River Area. Marshlands with unrestricted tidal influence (estuarine, intertidal, emergent, or regularly flooded). Prefers areas dominated by pickleweed (Salicornia virginica), bulrushes (Scirpus sp.), matted salt grass (Distichilis spicata), and other marsh vegetation.	1972
Melospiza melodia pusillula Alameda Song Sparrow	--	SSC	Costal salt marshes. Vegetation includes *Salicornia virginica*, *Grindelia stricta*, *Scirpus spp.*, and *Spartina spp.*	2004
Rallus longirostris obsoletus California Clapper Rail	FE	SE/FP	Coastal salt marshes vegetated by mixed *Salicornia*/*Spartina* hybrids, *Limonium californicum*, *Distichlis spicata*, and *Grindelia stricta*. Also near *Spartina alterniflora* in several areas around deepwater slough.	2006
Sternula antillarum browni California Least Tern	FE	SE/FP	Nests along the coast from San Francisco Bay south to Northern Baja California. Forages primarily in shallow estuaries or lagoons where small fish are abundant. Nests in loose colonies in areas relatively free of human or predatory disturbance on bare or sparsely vegetated, flat substrates in sand beach, alkali flat, or landfill habitats near shallow-water feeding areas.	1982
Mammals				
Antrozous pallidus Pallid Bat	--	SSC	Occurs throughout California except the high Sierra Nevada from Shasta County to Kern County and the northwest coast; primarily at lower and mid-elevations. Occurs throughout California; species forages in open areas of grasslands, shrublands, woodlands, and forests from sea level up through 6,560 feet; roosts in caves, rock crevices, mines, hollow trees, buildings, and bridges.	1952

Table 4.3-2: Special-Status Wildlife Species with the Potential to Occur within the Planning Area

Scientific and Common Name	*Federal Status*	*State Status*	*Geographic Distribution and Habitat requirements*	*CNDDB Occurrence Date*
Dipodomys venustus venustus Santa Cruz Kangaroo Rat	--	--	Cool, maritime mountains of west-central California. Chaparral habitats in the low foothills of the Santa Cruz Mountains on substrates of sands, loams, and sandy loams.	1933
Lasiurus cinereus Hoary Bat	--	--	Found throughout California, although distribution is patchy in the southeastern deserts. Open habitats or habitat mosaics, with access to trees for cover. Prefers open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Requires water nearby foraging and roosting sites.	1991
Neotoma fuscipes annectens San Francisco Dusky-Footed Woodrat	--	SSC	Found throughout the San Francisco Bay area in grasslands, scrub and wooded areas. Forest and scrub habitats of moderate canopy and moderate dense understory.	2001
Reithrodontomys raviventris Salt-Marsh Harvest Mouse	FE	SE/FP	Saline emergent wetlands of the San Francisco Bay and its tributaries. Uses pickleweed as its primary cover. Also uses non-submerged, salt-tolerant vegetation for escape during extremely high tides.	1992

Status Definitions:

Federal Status

FE = Listed as endangered under the Federal Endangered Species Act.

FT = Listed as threatened under the Federal Endangered Species Act.

Delisted = Species that has been removed from listing under the Federal Endangered Species Act.

– = No defined Federal or State status.

State Status

SE = Listed as endangered under the California Endangered Species Act.

ST = Listed as threatened under the California Endangered Species Act.

SSC = California Species of Special Concern designated by the California Department of Fish and Game

FP = Fully Protected Species designated by the California Department of Fish and Game.

– = No defined Federal or State status.

Source: CNDDB Dated 3/2/2016 Information Expires 9/2/2016. California Department of Fish and Wildlife, Natural Diversity Database, Special Animals List, October 2016.

REGULATORY SETTING

Federal Regulations

National Environmental Policy Act

The National Environmental Policy Act of 1969 (NEPA) was one of the first laws to establish a broad national framework for protecting the environment. Its purposes include: "To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; [and] to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man." NEPA assures that all branches of government give proper consideration to the environment prior to undertaking major federal actions that could significantly affect the environment.

Environmental assessments (EAs) and environmental impact statements (EISs), which assess the likelihood of impacts from alternative courses of action, are required from all federal agencies and are the most visible NEPA requirements. The documents must include discussion of the environmental impacts of the alternatives, including the proposed action; any adverse environmental effects that cannot be avoided should the proposal be implemented; the relationship between short-term uses of the environment and the maintenance and enhancement of long-term productivity; and any irreversible or irretrievable commitments of resources that would be involved in the proposal should it be implemented.

Federal Endangered Species Act

The Federal Endangered Species Act (ESA) protects fish and wildlife species and their habitats that have been identified by the U.S. Fish and Wildlife Service (USFWS) as threatened or endangered. Endangered refers to species, subspecies, or distinct population segments that are in danger of extinction through all or a significant portion of their range. Threatened refers to species, subspecies, or distinct population segments that are likely to become endangered in the near future. The ESA is administered by the USFWS. Provisions of ESA Sections 7 and 9 are relevant to the Proposed Project and are summarized below.

Endangered Species Act Authorization Process for Federal Actions (Section 7)

Section 7 of the ESA provides a means for authorizing *take* of threatened and endangered species by federal agencies. Take, as defined by ESA, means "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Harm is defined as "any act that kills or injures the species, including significant habitat modification." Under Section 7, the federal agency conducting, funding, or permitting an action (the lead federal agency, such as the U.S. Army Corps of Engineers [USACE]) must consult with USFWS to ensure that the proposed action will not jeopardize endangered or threatened species or destroy or adversely modify designated critical habitat. If a proposed project "may affect" a listed species or designated critical habitat, the lead agency is required to prepare a biological assessment evaluating the nature and severity of the expected effect. In response, USFWS issues a biological opinion, with a determination that the proposed action either:

- May jeopardize the continued existence of one or more listed species (jeopardy finding) or result in the destruction or adverse modification of critical habitat (adverse modification finding); or

- Will not jeopardize the continued existence of any listed species (no jeopardy finding) or result in adverse modification of critical habitat (no adverse modification finding).

The biological opinion issued by the USFWS may stipulate discretionary "reasonable and prudent" conservation measures. If the project would not jeopardize a listed species, the USFWS issues an incidental take statement to authorize the proposed activity.

Endangered Species Act Prohibitions (Section 9)

Section 9 of the ESA prohibits the take of any fish or wildlife species listed under the ESA as endangered. Take of threatened species also is prohibited under Section 9, unless otherwise authorized by federal regulations. In some cases, exceptions may be made for threatened species under ESA Section 4[d]; in such cases, the USFWS issues a "4[d] rule" describing protections for the threatened species and specifying the circumstances under which take is allowed. In addition, Section 9 prohibits removing, digging up, cutting, and maliciously damaging or destroying federally listed plants on sites under federal jurisdiction.

Clean Water Act

The federal Clean Water Act (CWA) was enacted as an amendment to the federal Water Pollution Control Act of 1972, which outlined the basic structure for regulating discharges of pollutants to waters of the United States. The CWA serves as the primary federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands.

The CWA empowers the Environmental Protection Agency (EPA) to set national water quality standards and effluent limitations and includes programs addressing both point-source and nonpoint-source pollution. Point-source pollution is pollution that originates or enters surface waters at a single, discrete location, such as an outfall structure or an excavation or construction site. Nonpoint-source pollution originates over a broader area and includes urban contaminants in stormwater runoff and sediment loading from upstream areas. The CWA operates on the principle that all discharges into the nation's waters are unlawful unless specifically authorized by a permit; permit review is the CWA's primary regulatory tool. The following sections provide additional details on specific sections of the CWA.

Permits for Fill Placement in Waters and Wetlands (Section 404)

CWA 404 regulates the discharge of dredged and fill materials into waters of the United States. Waters of the United States refers to oceans, bays, rivers, streams, lakes, ponds, and wetlands, including:

- Areas within ordinary high-water mark (OHWM) of a stream, including non-perennial streams with a defined bed and bank and any stream channel that conveys natural runoff, even if it has been realigned; and
- Seasonal and perennial wetlands, including coastal wetlands.

On January 9, 2001, the U.S. Supreme Court made a decision in Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (SWANCC), 121 S.CT. 675, 2001, that affected USACE jurisdiction in isolated waters. Based on SWANCC, the USACE no longer has

jurisdiction or regulates isolated wetlands (i.e., wetlands that have no hydrologic connection with a water of the United States).

A June 19, 2006 federal ruling on two consolidated cases (Rapanos v. United States and Carabell v. U.S. Army Corps of Engineers), often referred to as the Rapanos decision, affects whether adjacent waters or wetlands are considered jurisdictional under the CWA. The directive of the court follows the opinion by Justice Anthony Kennedy, which states that the test for waters of the United States should be determined on a case-by-case basis by USACE on the basis of whether a particular water body has "significant nexus" to navigable waters.

In response to the issues of this court ruling, the USACE and the U.S. EPA issued a joint regulatory guidance memorandum (Rapanos Guidance) (U.S. Environmental Protection Agency and Department of the Army 2007). The USACE also created a jurisdictional determination form and guidebook (JD Guidebook) (U.S. Army Corps of Engineers 2007) that provides guidance on determining significant nexus of a wetland or water.

Applicants must obtain a permit from the USACE for all discharges of dredged or fill material into waters of the United States, including adjacent wetlands, before proceeding with a proposed activity. The USACE may issue either an individual permit evaluated on a case-by-case basis or a general permit evaluated at a program level for a series of related activities. General permits are preauthorized and are issued to cover multiple instances of similar activities expected to cause only minimal adverse environmental effects. Nationwide permits (NWPs) are a type of general permit issued to cover particular fill activities. Each NWP specifies particular conditions that must be met for the NWP to apply to a particular project. Potential waters of the United States in the Planning Area would be under the jurisdiction of the San Francisco District of the USACE.

Compliance with CWA 404 requires compliance with several other environmental laws and regulations. The USACE cannot issue an individual permit or verify the use of a general permit until the requirements of the National Environmental Policy Act (NEPA), ESA, and NHPA have been met. In addition, the USACE cannot issue or verify any permit until a water quality certification or a waiver of certification has been issued pursuant to CWA 401 (see section on Water Quality Certification (Section 401)) below).

Permits for Stormwater Discharge (Section 402)

CWA 402 regulates construction-related stormwater discharges to surface waters through the National Pollutant Discharge Elimination System (NPDES) program, administered by the EPA. In California, the State Water Resources Control Board is authorized by the EPA to oversee the NPDES program through the Regional Water Quality Control Boards (RWQCBs) (see the related discussion under "Porter-Cologne Water Quality Control Act" below). The project corridor and vicinity are under the jurisdiction of the San Francisco Bay RWQCB.

NPDES permits are required for projects that disturb more than one acre of land. The NPDES permitting process requires the applicant to file a public notice of intent (NOI) to discharge stormwater and prepare and implement a stormwater pollution prevention plan (SWPPP). The SWPPP includes a site map and a description of proposed construction activities. In addition, it describes the best management practices (BMPs) that will be implemented to prevent soil erosion and discharge of other construction-related pollutants (e.g., petroleum products, solvents, paints,

and cement) that could contaminate nearby water resources. Permittees are required to conduct annual monitoring and reporting to ensure that BMPs are correctly implemented and effective in controlling the discharge of stormwater-related pollutants. The NPDES is discussed in detail in Section 4.7 Hydrology, Flooding, and Water Quality, of this EIR.

Water Quality Certification (Section 401)

Under CWA 401, applicants for a federal license or permit to conduct activities that may result in the discharge of a pollutant into waters of the United States must obtain certification from the state in which the discharge would originate or, if appropriate, from the interstate water pollution control agency with jurisdiction over affected waters at the point where the discharge would originate. Therefore, all projects that have a federal component and may affect state water quality (including projects that require federal agency approval, such as issuance of a CWA 404 permit) also must comply with CWA Section 401.

Executive Order 13186 (Federal Migratory Bird Treaty Act)

The Migratory Bird Treaty Act (MBTA) (16 U.S. Government Code 703–711) prohibits the take of any migratory bird or any part, nest, or eggs of any such bird. Under the act, take is defined as the action of or attempt to "pursue, hunt, shoot, capture, collect, or kill." This act applies to all persons and agencies in the United States, including federal agencies.

Executive Order 13186 for conservation of migratory birds (January 11, 2001) requires any project with federal involvement to address the impacts of federal actions on migratory birds. The order is designed to assist federal agencies in their efforts to comply with the MBTA and does not constitute any legal authorization to take migratory birds. The order also requires federal agencies to work with the USFWS to develop a memorandum of understanding (MOU). Protocols developed under the MOU must promote the conservation of migratory bird populations through:

- Avoiding and minimizing, to the extent practicable, adverse impacts on migratory bird resources when conducting agency actions;
- Restoring and enhancing the habitat of migratory birds, as practicable; and
- Preventing or abating the pollution or detrimental alteration of the environment for the benefit of migratory birds, as practicable.

Executive Order 11990: Protection of Wetlands

Executive Order (EO) 11990, signed May 24, 1977, directs all federal agencies to refrain from assisting in or giving financial support to projects that encroach on publicly or privately owned wetlands. It further requires that Federal agencies support a policy to minimize the destruction, loss, or degradation of wetlands.

Executive Order 13112: Invasive Species

EO 13112, signed February 3, 1999, directs all Federal agencies to prevent and control the introduction of invasive species in a cost-effective and environmentally sound manner. The EO requires consideration of invasive species in NEPA analyses, including their identification and distribution, their potential effects, and measures to prevent or eradicate them.

State Regulations

California Environmental Quality Act

The intent of the California Environmental Quality Act (CEQA) is to maintain "high-quality ecological systems and the general welfare of the people of the state." It is the policy of the State to "prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history." CEQA forbids agencies from approving projects with significant adverse impacts when feasible alternatives or feasible mitigation measures can substantially lessen such impacts.[11]

CEQA directs each State agency to consult with the California Department of Fish and Wildlife (CDFW) on any project an agency initiates that is not statutorily or categorically exempt from CEQA. CEQA *Guidelines* (Section 15065a) indicate that impacts to rare, threatened, or endangered plants or animals are significant. This finding of significance can be applied directly to State- and federally listed species. Impacts to other species that may generally meet these criteria but are not officially listed may be considered significant by the lead agency (for an EIR), depending on the applicability of other laws (e.g., Migratory Bird Treaty Act) and the discretion of the agency. The CDFW interprets Lists 1A, 1B, and 2 of the California Native Plant Society's *Inventory of Rare and Endangered Vascular Plants of California* to consist of plants that, in a majority of cases, would qualify for listing as rare, threatened, or endangered. However, the determination of whether an impact is significant is a function of the lead agency, absent the protection of other laws. Projects subject to CEQA review must specifically address the potential impact of the listed species and provide mitigation measures, if the impact is significant.

California Endangered Species Act

Under the California Endangered Species Act (CESA), the CDFW has the responsibility for maintaining a list of threatened and endangered species (California Fish and Game Code 2070). The CDFW also maintains a list of "candidate species," which are species formally noticed as being under review for addition to either the list of endangered species or the list of threatened species. In addition, CDFW maintains lists of "species of special concern," which serve as "watch lists." Pursuant to the requirements of CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any State-listed endangered or threatened species could be present on the project site and determine whether the proposed project could have a potentially significant impact on such species. In addition, the CDFW encourages informal consultation on any proposed project that may impact a candidate species. Project-related impacts on species on the CESA endangered or threatened lists would be considered significant in this EIR. Impacts on "species of concern" would be considered significant under certain circumstances, discussed below.

[11] CEQA also provides that a project might be approved in spite of residual, unmitigated significant impacts, by adoption of a statement of overriding social and economic considerations in situations where mitigations or alternatives are deemed infeasible.

Porter-Cologne Water Quality Control Act

California Water Code Section 13260 requires "any person discharging waste, or proposing to discharge waste, in any region that could affect the waters of the state to file a report of discharge (an application for waste discharge requirements)." Under the Porter-Cologne definition, the term waters of the state is defined as "any surface water or groundwater, including saline waters, within the boundaries of the state." The SWANCC ruling and Rapanos decision, described above, have no bearing on the Porter-Cologne definition. Although all waters of the United States that are within the borders of California are also waters of the state, the converse is not true (i.e., in California, waters of the United States represent a subset of waters of the state). Thus, California retains authority to regulate discharges of waste into any waters of the state, regardless of whether the USACE has concurrent jurisdiction under CWA 404.

If the USACE determines a wetland is not subject to regulation under CWA 404, CWA 401 water quality certification is not required. However, the RWQCB may impose waste discharge requirements (WDRs) if fill material is placed into waters of the state.

California Fish and Game Code

Section 1602

Under Section 1602 of the California Fish and Game Code, public agencies are required to notify the CDFW before undertaking any project that would divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Preliminary notification and project review occur generally during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, the CDFW is required to propose reasonable project changes to protect the resources. These modifications are formalized in a streambed-alteration agreement that becomes part of the plans, specifications, and bid documents for the project.

Sections 3503 and 3503.5

Section 3503 of the California Fish and Game Code prohibits the destruction of bird nests. Section 3503.5 prohibits the killing of raptor species and the destruction of raptor nests.

Section 3511 (Fully Protected Birds)

The California Fish and Game Code provides protection from take for a variety of species, referred to as fully protected species. Section 3511 lists fully protected birds and prohibits take of these species. The California Fish and Game Code defines take as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Except for take related to scientific research, all take of fully protected species is prohibited.

California Oak Woodlands Conservation Act

The California Oak Woodlands Conservation Act was enacted in 2001 to protect oak woodland habitats that were being diminished due to development, firewood harvesting, and agricultural conversions. The Oak Woodlands Conservation Program was established as a result of the act and is intended to provide project funding opportunities for private landowners, conservation organizations, and cities and counties to conserve and restore oak woodlands. The program authorizes the Wildlife Conservation Board to purchase oak woodland conservation easements and provide grants for land improvements and oak restoration efforts. The Planning Area contains large

stands of California Valley, Coastal, and Blue Oak Woodland and contains scattered oak woodland stands that have been preserved throughout the city.

California Native Plant Protection Act

State listing of plant species began in 1977 with the passage of the California Native Plant Protection Act (NPPA), which directed the CDFW to carry out the legislature's intent to "preserve, protect, and enhance endangered plants in this state." The NPPA gave the California Fish and Game Commission the power to designate native plants as endangered or rare and to require permits for collecting, transporting, or selling such plants. The California Endangered Species Act expanded upon the original NPPA and enhanced legal protection for plants. CESA established threatened and endangered species categories, and grandfathered all rare animals—but not rare plants—into the act as threatened species. Thus, there are three listing categories for plants in California: rare, threatened, and endangered.

California Native Plant Society

The California Native Plant Society (CNPS) maintains a list of special-status plant species based on collected scientific information. Designation of these species by the CNPS has no legal status or protection under federal or state endangered species legislation. CNPS's California Rare Plant Ranks (CRPR) are defined as follows: CRPR 1A (plants presumed extinct); CRPR 1B (plants rare, threatened, or endangered in California and elsewhere); CRPR 2 (plants rare, threatened, or endangered in California, but more numerous elsewhere); CRPR 3 (plants about which more information is needed – a review list); and CRPR 4 (plants of limited distribution – a watch list). In general, plants appearing on CRPR 1A, 1B, or 2 meet the criteria of Section 15380 of the California Environmental Quality Act (CEQA) Guidelines; thus, substantial adverse effects to these species would be considered significant.

California Senate Bill 375

SB 375 (Chapter 728, Statutes of 2008) directs the California Air Resources Board to set regional targets for reducing greenhouse gas emissions. The new law establishes a "bottom up" approach to ensure that cities and counties are involved in the development of regional plans to achieve those targets. SB 375 builds on the existing framework of regional planning to tie together the regional allocation of housing needs and regional transportation planning in a Sustainable Communities Strategy as an effort to reduce greenhouse gas (GHG) emissions from motor vehicle trips.

While SB 375 amended the California Public Resources Code to allow exemption from the CEQA process for Transit Priority Projects (TPP), if a TPP site contains wetlands or riparian areas, has significant value as wildlife habitat, or harms protected species, the TPP does not qualify for CEQA exemption.

Plan Bay Area – Sustainable Communities Strategy

Plan Bay Area is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. The plan was adopted on July 18, 2013 by the Metropolitan Transportation Commission and the Association of Bay Area Governments, both of which govern the nine-county Bay Area, including San Mateo County and the City of Belmont. The plan identifies "Priority Conservation Areas," which are open spaces that provide agricultural, natural resource,

scenic, recreational, and/or ecological values and ecosystem functions. There are no Priority Conservation Areas located within the City of Belmont or Planning Area.

California Natural Community Conservation Planning Act of 1991

The Natural Community Conservation Planning (NCCP) Act of 1991 provides a framework for State and local government, as well as private interest efforts for the protection of regional biodiversity and the ecosystems upon which they depend. Natural community conservation plans allow for the appropriate, compatible economic activity to occur while ensuring the long-term conservation of multiple species.

Local Regulations

San Mateo County General Plan

The San Mateo County General Plan was adopted in 1986 to "provide overall policy guidance to assure orderly, balanced utilization and conservation of all County resources" (*San Mateo County General Plan*, 1986). Until such time as the unincorporated Harbor Industrial Area (the area in Belmont's Sphere of Influence) is annexed, this area is subject to the San Mateo County General Plan and Zoning Regulations. It includes policies to protect vegetative, water, fish, and wildlife resources.

San Mateo County Zoning Regulations

San Mateo County published its first Zoning Ordinance in 1933, and the Zoning Regulations were last updated in December 2015. The Regulations preserve trees and open space and protect wetland, forest, and sensitive habitat resources (Chapters 20A Resource Management District, 20B Coastal Development District, 21 Special Setback Lines, 24.5 Wireless Telecommunication Facilities, 28.1 Design Review District, 34 Timberland Preserve Zone, 36 Resource Management-Coastal Zone, and 37 Timberland Preserve Zone-Costal Zone).

City of Belmont General Plan

The 1982 Belmont General Plan contains an Open Space section within its Land Use-Open Space Element that contains policies that seek to protect plant and wildlife habitats. The General Plan also contains a Conservation Element with policies that seek to preserve plant and wildlife. The General Plan Update (part of the Proposed Project) would replace the City's current General Plan.

City of Belmont Tree Ordinance

The City of Belmont has a tree ordinance (Municipal Code Chapter 25) that prohibits damage to any tree with a stem or trunk diameter greater than ten inches and requires a permit for removal of any such trees. In addition, trees that are removed must be replaced or an in-lieu fee must be paid according to certain guidelines.

San Juan Hills Area Plan and Western Hills Area Plan

The San Juan Hills Area Plan (1988) and the Western Hills Area Plan (1990) were developed to address the unique problems, including geologic hazards, hydrological concerns, steep slopes, and potential wildland fire hazards, and to protect the assets of the western hillsides in Belmont. The San Juan Hills Area Plan includes goals and policies to reduce these threats to development and to

protect open space, vegetation, creeks, and habitat. Similarly, the Western Hills Area Plan includes goals and policies to reduce geologic hazards to development and to preserve natural resources and open space through protecting vegetation which stabilizes soils, promoting the use of native plants, stream setbacks, and other strategies.

City of Belmont Zoning Code and Measure F (2005)

The Belmont Zoning Code includes a Hillside Residential and Open Space (HRO) zoning district located in both the northwest and southwest portions of Belmont, as shown on Figure 4.3-6. The HRO zone regulations restrict residential developments by floor area ratio (FAR), height limitation, and density reduction on steep slopes.

Approved by Belmont voters in 2005, Measure F requires that changes to the existing Hillside Residential and Open Space Zoning Districts (HRO-1, HRO-2, and HRO-3) that would increase the maximum allowed density must be approved by Belmont voters. Measure F also requires Belmont voters to approve rezoning land from a HRO District to another district that allows increased development density. The Measure F overlay is shown on the General Plan Land Use Diagram, Figure 3-4 in the Project Description.

In 2013, a new zoning district, included in Figure 4.3-6, "Open Space-Public (OS-P)" was approved by the Belmont City Council to preserve significant open space portion of San Juan Hills, which was previously zoned under the HRO district. Under the OS-P zone regulation, only limited public facilities are permitted.

4.3.2 Impact Analysis

SIGNIFICANCE CRITERIA

Significant impacts would occur if implementation of the Proposed Project would:

Criterion 1: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service

Criterion 2: Have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Criterion 3: Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

Criterion 4: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites

Criterion 5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Criterion 6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

METHODOLOGY AND ASSUMPTIONS

Impacts related to biological resources were evaluated qualitatively based on available information, including the following data sources:

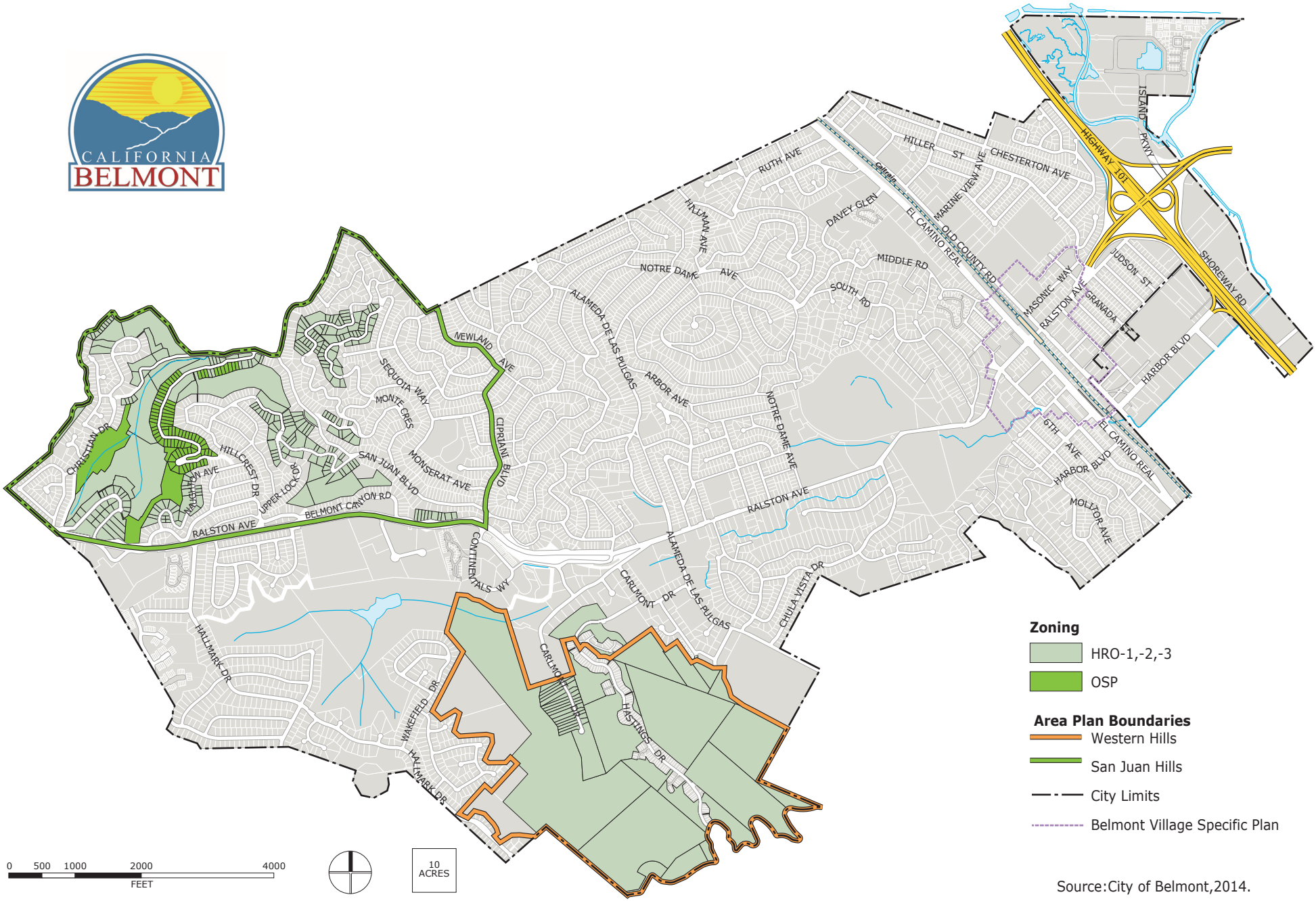
- Aerial photographs of the Planning Area.
- Data presented in the CNDDB, CNPS Electronic Inventory of Rare and Endangered Vascular Plants of California, and USFWS species list (2016).
- Available literature regarding the natural resources of the area.

No new field studies or other research were conducted for the preparation of this EIR, as existing resources contained information on all pertinent aspects of biological resources in the Planning Area in an appropriate level of detail for a program-level environmental assessment. Based on a review of relevant maps and biological resources documentation for the City of Belmont, this EIR presents a list of special-status species that have the potential to occur in the Planning Area, due to the presence of the basic habitat types that they inhabit.

IMPACT SUMMARY

Future land use changes under the Proposed Project are not expected to impact biological resources, including sensitive natural communities, critical habitat, and special-status or sensitive species. Although vacant lots that may currently provide habitat may develop under the Proposed Project, these lots are currently allowed to develop under the existing General Plan. Temporary impacts from construction of new development might result in short-term impacts, these impacts are less than significant. The Proposed Project is consistent with local policies and ordinances, and there are no adopted Habitat Conservation Plans that apply to the Planning Area.

Figure 4.3-6: HRO and OS-P Zoning



Source:City of Belmont,2014.

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IMPACTS AND MITIGATION MEASURES

Impact

4.3-1 Implementation of the Proposed Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations; by the California Department of Fish and Wildlife; or by the U.S. Fish and Wildlife Service. *(Less than Significant)*

Impact of Proposed General Plan, Phase I Zoning, and Climate Action Plan

The proposed General Plan does not propose new urban land use designations for land that is currently open space and designated to remain as open space, apart from a swath of land between El Camino Real and the Caltrain tracks that is both too narrow and too urbanized to provide adequate habitat. However, implementation of the General Plan and Phase I Zoning would allow for infill development and redevelopment of vacant and underutilized parcels downtown, along major transportation corridors, and in the Harbor Industrial Area, as well as development of some yet undeveloped parcels in the western portions of Belmont. As shown in Figures 4.3-1, 4.3-2, 4.3-4, and 4.3-5, and discussed in the Environmental Settings section of this chapter, there are habitats that support special species throughout the Planning Area. Development would introduce new uses in or adjacent to these habitats. Direct impacts to special-status species could result from the conversion of habitat either temporarily, as a result of grading, excavation, and construction activities, or permanently from the ongoing operation and/or maintenance of a project or plan. Indirect impacts could result from elevated dust or noise levels or increased sediment loads in runoff from construction activities. Indirect impacts could also result from permanent alterations to hydrology upstream of habitats supporting sensitive species, including increased runoff, sedimentation, or pollutant loads, and increased human activity.

Although development of these vacant parcels may affect habitat, these areas are already designated for urban uses. In addition, the General Plan and Phase I Zoning include policies and regulations that would minimize or avoid impacts to sensitive species by requiring the protection and preservation of such resources. Policy 4.4-1 requires the City to continue to designate and protect open space lands; Policy 4.5-4 encourages the City to preserve the existing open space areas in the San Juan Hills and Western Hills; Policy 4.4-6 requires the City to develop programs to control invasive species, which could modify habitats; Policy 4.5-3 helps protect habitat by prohibiting off-road motor vehicles in open space areas; Policy 5.1-3 protects against ecological succession and pathogen threats; Policy 5.3-1 requires the City to support the protection of habitats of special status species; and Policy 5.3-2 requires the City to protect ecologically important areas. Policies 5.1-1 and 5.1-4 ensure that improvements and planning of open spare areas are consistent with the particular type of open space and the City's open space strategy. In addition, Policies 2.14-3 and 5.1-2 specifically address the interface between natural and developed areas to support wildlife needs.

The Phase I Zoning maintains the restricted residential densities in the Hillside Residential and Open Space zoning district, and maintains the Open Space Public district to preserve open space in the San Juan Hills. In addition, Section 6C of the Phase I Zoning introduces a new Open Space Privately-Owned District to preserve privately-owned natural areas where agricultural uses, open space and low-impact recreational uses, and public utility and public service structures are

permitted (with single-family residences subject to conditional use permits). All three of these zoning districts, and their associated development standards, will reduce potential impacts on existing habitat areas in Belmont.

The CAP will not result in adverse effect on any special species. Construction and placement of renewable energy projects have the potential to impact habitats, but the CAP's renewable energy recommendations are for smaller, building-scale projects (see energy strategies in CAP) that would not lead to a significant impact on habitats or special-status species. Like the rest of the Proposed Project, Measure TL1 in the CAP calls for smart growth policies that prioritize infill development, avoiding development on open spaces, which may serve as habitats and wildlife corridors. The CAP's energy and transportation policies would also reduce the Urban Heat Island effect, reducing the human effects on temperature, and therefore habitats and species, within the Planning Area.

As a result of implementation of the proposed General Plan policies, Phase I Zoning regulations, and CAP measures as described above and listed below, as well as compliance with federal, state, and local regulations, the impact of the General Plan, Phase I Zoning, and CAP would be less than significant.

Impact of Belmont Village Specific Plan and Village Zoning

The General Plan Policies, Phase I Zoning, and CAP measures discussed above apply within the BVSP Area, and the BVSP and the associated zoning regulations do not have elements that are distinct from the overall Proposed Project as it relates to this impact, except for additional policies that would further reduce impacts on special status species. BVSP Policy 6.3-1 requires the City to ensure that development does not disturb sensitive habitat and special status species, and BVSP Policies 6.1-1 and 6.2-2 help protect and restore wildlife habitat along Belmont Creek.

As a result of implementation of the policies and zoning regulations of the proposed General Plan, Phase I Zoning, CAP, and BVSP as described above and listed below, the impact of the BVSP and associated zoning regulations would be less than significant.

Proposed General Plan Policies that Would Reduce the Impact

Land Use Element

2.14-3 Create clear design standards for the interface between open spaces and neighborhoods, especially in the Urban/Wildland Interface Zone. Standards should identify the margin of open space needed to allow wildlife, recreation, and aesthetic values to flourish while also reducing threats of fire and invasive plant species. Incorporate "Defensible Space" standards as needed in areas of high wildfire risk.

Parks, Recreation, and Open Space Element

4.4-1 Continue to designate and protect open space lands for the preservation of scenic areas, natural drainage ways, and plant and wildlife habitats; for outdoor recreation; and for public health and safety.

4.4-6 Develop programs to control invasive plant species that threaten the natural resources.

4.5-2 Protect Belmont Creek from future encroachment through regulation, development review, conservation easements, or other appropriate actions.

4.5-3 Continue to prohibit off-road motorized vehicle use in open space areas to prevent damage to the environment.

4.5-4 Seek to preserve the existing open space areas in the San Juan Hills and Western Hills, consistent with the Area Plans, especially on steep hillsides and sensitive habitat areas.

Conservation Element

5.1-1 Ensure that any improvements recommended for open space areas are appropriate for the type of open space and the use proposed.

5.1-2 In portions of Belmont that include significant open space resources, use area plans to address the balance and interface between natural and developed areas.

5.1-3 Reduce risk of wildland fire, ecological succession, and pathogen threats (such as Sudden Oak Death) through active maintenance of public spaces and education and enforcement of development standards on private property.

5.1-4 Ensure that future acquisitions of open space land are compatible with the City's open space strategy and long-term interests.

5.3-1 Support the protection, preservation, restoration, and enhancement of habitats of State or federally listed rare, threatened, endangered and/or other sensitive and special status species, and favor enhancement of contiguous areas over small, segmented remainder parcels.

5.3-2 Continue to maintain, protect, restore, and enhance Belmont's ecologically important areas and seek to reduce impacts on them, including the creek corridors, the open space, and the wetlands around O'Neill Slough.

5.3-3 To the greatest extent feasible, ensure that development does not disturb sensitive habitat and special status species by requiring appropriate and feasible mitigation measures.

5.3-4 Maintain functional wildlife corridors and habitat linkage in order to contribute to regional biodiversity and the viability of rare, unique or sensitive biological resources throughout the city and region.

5.4-3 Protect, restore, and enhance a continuous corridor of native riparian vegetation and wildlife habitat along Belmont's waterways, water bodies, and wetlands.

Proposed Belmont Village Specific Plan Policies that Would Reduce the Impact

Environmental Sustainability, Health, and Safety Chapter

6.1-1 Design storm drainage and flood control structures to minimize erosion and creek sedimentation and to preserve and enhance the wildlife habitat and vegetation of Belmont Creek.

6.2-2 Continue to collaborate on and implement efforts to restore Belmont Creek and enhance ecological functions, biological resources, hydrology function, and flood control.

6.3-1 Ensure that development does not disturb sensitive habitat and special status species by requiring appropriate and feasible mitigation measures. If Endangered or Threatened Species are discovered prior to or during construction of a development project, require project proponents to consult a qualified biologist for proper action and to develop adequate measures to avoid or mitigate impacts.

Proposed Climate Action Plan Measures that Would Reduce the Impact

TL1 Establish a Smart Growth Policy that prioritizes infill, higher density, transportation oriented and mixed-use development.

Mitigation Measures

None required.

Impact

4.3-2 Implementation of the Proposed Project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (*Less than Significant*)

Impact of Proposed General Plan, Phase I Zoning, and Climate Action Plan

Implementation of the proposed General Plan and Phase I Zoning would allow for infill development and redevelopment of vacant and underutilized parcels near aquatic habitats east of Highway 101. Potential direct and indirect impacts from implementation of the Proposed Project are discussed in Impact 4.3-1. Although development of these vacant parcels may affect riparian or sensitive habitat, the areas that may develop are already designated for urban uses. In addition, the General Plan includes policies that would minimize or avoid impacts to sensitive habitat by requiring the protection and preservation of such resources. Policy 4.5-2 protects Belmont Creek from encroachment; Policy 5.3-2 requires the City to ensure that development does not disturb sensitive habitat and special status species, including the creek corridors; and Policy 5.4-3 requires the City to protect wildlife habitat along Belmont's waterways.

The CAP does not have elements that are distinct from the overall Proposed Project as it relates to this impact.

As a result of implementation of the proposed General Plan policies as described above and listed below, as well as compliance with federal, State, and local regulations, the impact of the General Plan, Phase I Zoning, and CAP would be less than significant.

Impact of Belmont Village Specific Plan and Village Zoning

The General Plan Policies discussed above apply within the BVSP Area, and the BVSP and the associated zoning regulations do not have elements that are distinct from the overall Proposed Project as it relates to this impact, except for additional policies that would further reduce impacts

on special status species. BVSP Policies 6.1-1 and 6.1-2 help protect and restore wildlife habitat along Belmont Creek.

As a result of implementation of the policies of the proposed General Plan and BVSP as described above and listed below, the impact of the BVSP and associated zoning regulations would be less than significant.

Proposed General Plan Policies that Would Reduce the Impact

Parks, Recreation, and Open Space Element

Policy 4.5-2, as listed under Impact 4.3-1 above.

Conservation Element

5.4-3 Protect, restore, and enhance a continuous corridor of native riparian vegetation and wildlife habitat along Belmont's waterways, water bodies, and wetlands.

Policy 5.3-2, as listed under Impact 4.3-1 above.

Proposed Belmont Village Specific Plan Policies that Would Reduce the Impact

Environmental Sustainability, Health, and Safety Chapter

Policies 6.1-1 and 6.2-2, as listed under Impact 4.3-1 above.

Proposed Climate Action Plan Measures that Would Reduce the Impact

Measure TL1, as listed under Impact 4.3-1 above.

Mitigation Measures

None required.

Impact

4.3-3 Implementation of the Proposed Project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (*Less than Significant*)

Impact of Proposed General Plan, Phase I Zoning, and Climate Action Plan

Development resulting from implementation of the proposed General Plan and Phase I Zoning may result in both direct and indirect significant adverse impacts to jurisdictional wetlands or waters. Jurisdictional wetlands and waters occur within the Planning Area primarily in the vicinity of the O'Neill and Belmont Sloughs. Other wetland habitats occur along creeks and drainages. Development on or adjacent to these areas could potentially affect these resources either directly through fill or indirectly through the alteration of the hydrologic regime.

Although implementation of the General Plan and Phase I Zoning may result in actions that could adversely affect jurisdictional wetlands or waters, they include policies and regulations that would minimize or avoid impacts to these resources by requiring the protection and preservation of such resources. Policy 5.3-2 requires the City to protect and restore the wetlands around O'Neill Slough,

and Policy 5.4-3 requires the City to protect and restore a continuous corridor of wildlife habitat along Belmont's wetlands.

In addition, if jurisdictional resources are determined to be potentially impacted by a project, all such future development projects would require Clean Water Act Section 404/401 Permits from the U.S. Army Corps of Engineers (USACE) and RWQCB, respectively, and a 1600-Series Streambed Alteration Agreement with the CDFW. Future projects potentially affecting jurisdictional wetlands and waters would comply with the USFWS, CDFW, and USACE "no net loss" policy and would require mitigation, including wetland creation and restoration/ enhancement. Any project-specific mitigation required by USFWS, CDFW and USACE would ensure that future projects that result in a new loss of wetlands are not approved or developed; therefore, compliance with federal and State standards would ensure that the Proposed Project, and any subsequent development, does not result in a significant impact to federally protected wetlands.

The CAP does not have elements that are distinct from the overall Proposed Project as it relates to this impact.

As a result of implementation of the proposed General Plan policies as described above and listed below, as well as compliance with federal, State, and local regulations, the impact of the General Plan, Phase I Zoning, and CAP would be less than significant.

Impact of Belmont Village Specific Plan and Village Zoning

The General Plan Policies discussed above apply within the BVSP Area, and the BVSP and the associated zoning regulations generally do not have elements that are distinct from the overall Proposed Project as it relates to this impact, with the exception of BVSP policies 6.1-1 and 6.2-2 (discussed under Impact 4.3-2), and policy 6.3-2 (discussed under Impact 4.3-4). The BVSP policies will protect and restore wildlife habitat along Belmont Creek by improving riparian habitat, and so will maintain or improve upon wetlands in the Belmont Creek area.

As a result of implementation of the policies of the proposed General Plan, as described above and listed below, the impact of the BVSP and associated zoning regulations would be less than significant.

Proposed General Plan that Would Reduce the Impact

Conservation Element

Policies 5.3-2 and as listed under Impact 4.3-1 and Policy 5.4-3 as listed under Impact 4.3-2 above.

Proposed Belmont Village Specific Plan Policies that Would Reduce the Impact

Environmental Sustainability, Health, and Safety Chapter

Policies 6.1-1 and 6.2-2 as listed under Impact 4.3-2 above, and Policy 6.3-2 as listed under Impact 4.3-4 below.

General Plan policies also apply to the BVSP Area.

Proposed Climate Action Plan Measures that Would Reduce the Impact

There are no strategies in the Climate Action Plan that relate to this topic.

Mitigation Measures

None required.

Impact

4.3-4 Implementation of the Proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (*Less than Significant*)

Impact of Proposed General Plan, Phase I Zoning, and Climate Action Plan

Large areas of open space or undeveloped areas within the Planning Area may serve as wildlife corridors for common and listed species. Although development is expected on vacant lots currently designated for urban uses in developed areas, there is no future development planned under the proposed General Plan and Phase I Zoning in the open space areas, which, given their contiguous nature and geography, are more likely to function as wildlife corridors than small, scattered infill parcels amidst urban development. Therefore, although there may be indirect impacts to the movement of wildlife, these are not expected to result in direct impacts to habitat or fragmentation of open space. In addition, the General Plan includes policies that would minimize or avoid impacts to important wildlife corridors and linkages by requiring the protection and preservation of such resources. Policy 5.3-4 requires the city to maintain wildlife corridors, and Policy 5.4-3 requires the City to protect a continuous corridor of riparian habitat.

The CAP does not have elements that are distinct from the overall Proposed Project as it relates to this impact.

As a result of implementation of the proposed General Plan policies as described above and listed below, the impact of the General Plan, Phase I Zoning, and CAP would be less than significant.

Impact of Belmont Village Specific Plan and Village Zoning

The General Plan Policies discussed above apply within the BVSP Area, and the BVSP and the associated zoning regulations do not have elements that are distinct from the overall Proposed Project as it relates to this impact, except for policies the further reduce potential impacts. BVSP Policy 6.3-2 requires the City to maintain a stretch of the Belmont Creek corridor as a functional wildlife corridor.

As a result of implementation of the policies of the proposed General Plan and BVSP, as described above and listed below, the impact of the BVSP and associated zoning regulations would be less than significant.

Proposed General Plan Policies that Would Reduce the Impact

Conservation Element

5.3-4 Maintain functional wildlife corridors and habitat linkage in order to contribute to regional biodiversity and the viability of rare, unique or sensitive biological resources throughout the city and region.

Policy 5.4-3, as listed under Impact 4.3-2 above.

Proposed Belmont Village Specific Plan Policies that Would Reduce the Impact

Environmental Sustainability, Health, and Safety Chapter

6.3-2 Maintain the Belmont Creek corridor west of Sixth Avenue as a functional wildlife corridor and habitat linkage. Provide an appropriate buffer, using landscaping, to preserve and protect the creek water quality. Where feasible, allow public access in the form of open space or a multi-use trail along the creek corridor. Incorporate interpretive signage for educational purposes in public access areas along the creek and in Twin Pines Park.

Proposed Climate Action Plan Measures that Would Reduce the Impact

There are no strategies in the Climate Action Plan that relate to this topic.

Mitigation Measures

None required.

Impact

4.3-5 Implementation of proposed General Plan would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (*No Impact*)

Impact of Proposed General Plan, Phase I Zoning, and Climate Action Plan

The City of Belmont has a Tree Ordinance to promote the healthy growth of trees, control the removal of trees, and encourage the replacement of trees within the City. This ordinance requires that any removal be approved by the City's Tree Board. Policy 2.4-2 in the proposed General Plan requires the City to maintain tree protection and removal standards, implemented by the Tree Ordinance. Buildout activity under the Proposed Project would continue to follow these regulations. In addition to the City's Tree Ordinance, General Plan Policy 4.5-4 encourages the City to preserve the open spaces areas in the San Juan Hills and Western Hills area plans.

The CAP does not have elements that are distinct from the overall Proposed Project as it relates to this impact.

As a result of implementation of the proposed General Plan policies as described above and listed below, the General Plan, Phase I Zoning, and CAP would result in no impact.

Impact of Belmont Village Specific Plan and Village Zoning

The General Plan Policies discussed above apply within the BVSP Area, and the BVSP and the associated zoning regulations do not have elements that are distinct from the overall Proposed Project as it relates to this impact.

As a result of implementation of the policies of the proposed General Plan, as described above and listed below, the BVSP and associated zoning would have no impact.

Proposed General Plan Policies that Would Reduce the Impact

Land Use Element

2.4-2 Maintain adequate and reasonable tree protection and removal standards and best management practices, implemented by the City's Tree Ordinance.

Parks, Recreation, and Open Space Element

Policy 4.5-4, as listed under Impact 4.3-1 above.

Proposed Belmont Village Specific Plan Policies that Would Reduce the Impact

There are no policies in the Belmont Village Specific Plan that relate to this topic. General Plan policies also apply to the BVSP Area.

Proposed Climate Action Plan Measures that Would Reduce the Impact

There are no strategies in the Climate Action Plan that relate to this topic.

Mitigation Measures

None required.

Impact

4.3-6 Implementation of the Proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. (*No Impact*)

Impact of Proposed General Plan, Phase I Zoning, and Climate Action Plan

There are no adopted Habitat Conservation Plans that include land within the Planning Area. Moreover, there are no Natural Community Conservation Plans at the county level that include land within the Planning Area. Therefore, future development under the Proposed Project would not conflict with provisions of these conservation plans. The CAP does not have elements that are distinct from the overall Proposed Project as it relates to this impact.

Impact of Belmont Village Specific Plan and Village Zoning

The BVSP and the associated zoning regulations do not have elements that are distinct from the overall Proposed Project as it relates to this impact.

Mitigation Measures

None required.